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DOBLER & SONS, LLC

UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

DOBLER & SONS, LLC, a California  
limited liability company,

Plaintiff,

v.

FRESH 'N HEALTHY, INC., a Delaware  
Corporation; MARK WILLIAMS, an  
individual; JACK PARSON, an individual;  
MARK MCCORMICK, an individual;  
STEVEN CINELLI, an individual; and  
PRESTWICK PARTNERS, LLC, a  
California limited liability company,

Defendants.

**CASE NO. C 08-00113 RS**

**NOTICE OF VOLUNTARY DISMISSAL  
WITHOUT PREJUDICE**

[Fed. R. Civ. P. 41(a)]

NOTICE IS HEREBY GIVEN that, pursuant to Fed. R. Civ. Proc. 41(a), Plaintiff Dobler & Sons, LLC voluntarily dismisses the above captioned action in its entirety,<sup>1</sup> without prejudice.

Date: May 7, 2008

RYNN & JANOWSKY, LLP

By: /s/ Marion I. Quesenbery  
MARION I. QUESENBERY  
Attorneys for Plaintiff  
DOBLER & SONS, LLC

<sup>1</sup> Plaintiff has also filed a Stipulation for the Dismissal of Defendant Jack Parson, the only Defendant that filed a response to Plaintiff's Complaint.